K.R. 1815

1941

File No. O.P.S.C. /41

Legal **DEPARTMENT**

A **BRANCH**

Subject:—

Opinions under the

Public Service Commission (Function) Rule

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Std. Sectt. Slip 24 B c.

C O N T E N T S.

Legal Department File No. O. P3C/1941.

Sr. No.	Compilation No.	Subject	Pages.
1.	O.No.3118 dt.5-4-41.	Public Service Commission (Functions) Rules - Proviso(a) to rule 4 ..... whether there is any legal objection to three nominees sitting with the commission if Govt. and the Commission agree to adopt the adoption of this course.	1- 2.

M.V.V.
31/4.

9/5

K.S.R.
9/5.

Office of the R.L.A.

The President of the Public Service Commission in his D.O. letter at p.115 ante has expressed an opinion that through proviso (a) to rule 4 of the Public Service Commission(Functions) Rules, 1937 makes it obligatory on the Commission to admit one technical adviser in the selection of a candidate, there is nothing in the rules precluding them from admitting more than one such adviser. This view appears to be correct. The Public Service Commission (Functions) Rules are not statutory rules. Rule 4 prescribes the procedure the Commission has to follow when recruitment to any of the services and posts specified in Schedule II is to be made by selection. Proviso(a) provides that the Commission shall invite the Head of the Department concerned to be present or to appoint a representative to be present at the interview of the candidates by the Commission. The Head of the Department or his representative is entitled to take part in the deliberations but shall not be entitled to vote. This rule merely makes it obligatory upon the Commission to invite the Head of the Department concerned. There would, however, be no legal objection to three nominees sitting with the Commission if Govt. and the Commission agree to the adoption of this course.

Sd. P.N.M.
5/4

Remembrancer of Legal Affairs.

U.R. to the C.D. No.3118 dated the 5th April 1961.

M.V.V.
21/4.